

**EXHIBIT C**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

AL EVERETT BOYETT, JR., )  
 )  
 Plaintiff, )  
 )  
 v. ) CIVIL ACTION NO.: 2:05-CV-966-D  
 )  
 ANTHONY CLARK, SHERIFF, *et al.*, )  
 )  
 Defendants. )

**AFFIDAVIT OF KEVIN SMITH**

STATE OF ALABAMA )  
COUNTY OF COVINGTON )

1. My name is Kevin Smith. I am over the age of nineteen and am competent to execute this affidavit, which is based on my personal knowledge, training and experience.

2. I am the interim jail administrator of the Covington County Jail, Covington County, Alabama and have been the interim jail administrator since approximately August 1, 2005.

3. I have reviewed the Plaintiff's Complaint filed in this matter. I have limited personal knowledge of the facts stated in the Complaint.

4. It is the policy of the Covington County Sheriff's Department that members of the jail staff receive and answer inmate grievances. Forms on which grievances may be related to the jail staff are readily available in the jail. Inmates are furnished these forms at any time they request one. An exception exists for requests of an emergency nature, which may be made orally. Members of the jail staff are charged with responding to such grievances. Copies of all completed grievances and request forms are placed in an inmate's jail file.

5. Inmates are made aware of the grievance procedure.

6. To not provide an inmate with a grievance form or address a grievance would be a violation of the policy of this jail.

7. To my knowledge, prior to the instigation of this lawsuit, the Plaintiff filed one grievance and one letter of complaint with regards to the subject matter of this lawsuit. I personally investigated both of those complaints and found them to be without merit.

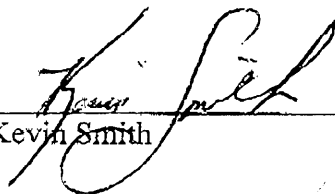
8. The Covington County Commission has contracted with Southern Health Partners, Inc. ("SHP") to provide all health care related services to the inmates at the Covington County Jail. SHP provides a doctor and at least one nurse which are available for inmate needs 24 hours a day, seven days a week. In particular, SHP staff recommend and perform inmate physical and mental health evaluations and treatments, and initiate and/or confirm health-related appointments with outside health-care providers as needed. The responsibility of jail personnel with regards to health-related appointments outside the jail is limited to transporting the inmates to any such appointments upon the instruction of SHP staff.

9. Neither I nor any Covington County Jail personnel have any control, authority or responsibility for the provision of health care to jail inmates; we are required to rely on the training and expertise of SHP for such services. However, in emergency situations, jail personnel are authorized to contact the SHP nurse or doctor and/or call for an ambulance and emergency medical assistance.

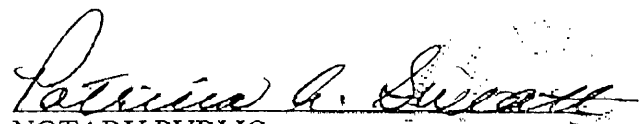
10. I did not personally witness, direct, or in any way participate in the administration of medical care to the Plaintiff.

11. I certify and state that the documents provided to the Court which are attached to the Defendants' Special Report are true and correct copies of the Plaintiff's inmate and health records, kept at the Covington County Jail in the regular course of business.

12. I affirm, to the best of my present knowledge and information, that the above statements are true, that I am competent to make this affidavit, and that the above statements were made by drawing from my personal knowledge of the situation.

  
Kevin Smith

SWORN TO and SUBSCRIBED before me this 23 day of November, 2005.

  
NOTARY PUBLIC

My Commission Expires: 1-29-07